

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**THOMPSON'S GAS & ELECTRIC
SERVICE, INC., a Maryland corporation,
REGIONS PROPANE-ALABAMA, LLC, an
Alabama Limited Liability Company,
SUBURBAN GAS PROPANE PARTNERS,
LLC, a Maryland Limited Liability
Company, SHELBY PROPANE GAS
COMPANY, INC., an Alabama corporation,
and DEUPREE GAS, INC., an Alabama
corporation,**

Plaintiffs,

v.

**BP PRODUCTS NORTH AMERICA, INC.,
DONALD CAMERON BYERS, MARTIN
MARZ, JAMES SUMMERS, MARK
RADLEY, DENNIS ABBOTT, and CODY
CLABORN,**

Defendants.

Case No. 08-CV-2693

Judge James B. Moran

Magistrate Judge Arlander Keys

**AGREED MOTION FOR EXTENSION OF TIME FOR
DONALD CAMERON BYERS TO ANSWER OR
OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT**

Defendant Donald Cameron Byers brings this agreed motion for an extension of time to answer, move or otherwise respond to plaintiffs' complaint.

I. On May 12, 2008, plaintiffs sent a copy of their complaint and Notice of Waiver of Service of Summons to Mr. Byers. On June 5, 2008, Mr. Byers returned the Notice of Waiver of Service of Summons. Mr. Byers' answer or response to plaintiffs' complaint is currently due on July 11, 2008.

II. Other defendants in the case, including Defendant BP Products North America, Inc., have yet to be served.

III. Plaintiffs have agreed to an extension for Mr. Byers to file an answer or otherwise respond to the complaint until thirty (30) days after all parties have been served, subject to (a) any further agreement that may be entered into between plaintiffs and defendants regarding an answer or response to the complaint or to any amended complaint, and (b) the approval of this Court.

Accordingly, Mr. Byers respectfully asks this Court to grant the parties' agreed motion.

Dated: June 25, 2008

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Attorneys for Plaintiffs

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Case No. 08-CV-2693

Judge James B. Moran

Magistrate Judge Arlander Keys

**[PROPOSED] ORDER GRANTING AGREED MOTION FOR
EXTENSION OF TIME FOR DONALD CAMERON BYERS TO
ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT**

Upon due consideration of Defendant Donald Cameron Byers' agreed motion for an extension of time to answer or otherwise respond to plaintiffs' complaint until all parties are served;

IT IS HEREBY ORDERED AND DECREED THAT defendant Byers' agreed motion is GRANTED.

HON. MILTON I. SHADUR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2008, I caused a true and correct copy of the foregoing **AGREED MOTION FOR EXTENSION OF TIME FOR DONALD CAMERON BYERS TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT** and **[PROPOSED] ORDER GRANTING AGREED MOTION FOR EXTENSION OF TIME FOR DONALD CAMERON BYERS TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT** to be filed electronically and a true and correct copy served upon the following counsel of record in the manner indicated:

By Operation of the Court's ECF System

Stephen W. Heil
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/s/ Michael McCluggage
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